State in which the public lands lie. Heretofore at \$1.25 per acre; and that, too, is limited to a quarter section. It is proposed to give a half s ction to every one who may go to settle in reach the point is order to enjoy this privilege Oregon. If that section is to remain in the bill, will cost more than that quantity of Lind may I shall certainly expect that, as a matter of fairs to the other Territories, and to the other States in which public lands may lie, the same indecements may be allowed to them. Otherwise, consider it really less than the actual settler is nothing will be more natural than that the emiwill be more natural than that the emigration will be diverted to Oregon alone, and the read the section this morning, that the bill gave other parts of the United States must not expect any access to their population.

Mr. BADGER. I wish to suggest to the

senator from Florida that he entirely overlooks one material difference between Oregon and the other Territories and States to which he alludes In the first place, no man will go to Oregon unl-ss you hive him to go there As it is our ob-et to get the Territory | e-pled, we must resort the means which the particular condition of things renders necessity, whereas, with regard to the State of Florida and other States and Territories, we may say of them that we hold out low so many inducements to invite settlers—five climate, rich soil, salubrious atmosphere. many other circumstances to make the fill sem up with a large, value ble, and desirable positation, is that the government should agree Now, we want all these Territor es peopled. It is highly important that Ore gor should be settled. The population is so s will that they cannot defend themselves from Until they get to the condition reisite to take core of themselves, it will require

States to protect them.

I do not know how we can do better than this. If we can get people to go there by giving t em land, the only objection that I can conceive it is that it possibly may involve a question of infairness on the part of the government to atof the people to settle in such a country. Laughter.1 strike o t the section. I think that, under the keep the section in; and if we can get anybody

to go there upon any terms, why, do so.

Mr. FOOTE. I have none of that feeling which, is somewhat prevalent in some portions ct to our growing settlements in the far West. shall vote against this propositio with great cordiality: being, for one, exceedingly desirous for the rapid settlement of our frontier country

on the Pacific.

Mr. YULEE. I have not been stimulated by any extraordinary means. It is to be appreother side of the Rocky mountains. We know to the emigration overland t is year has alr dy reached nearly 50,000, and that 10,000 of or actual, to draw to that country all the surplus population which can be spared from the Attentic States. And I ask whether it is wise rediev to scatter our population-to offer inducemems to the people in the Atlantic States to t ausfer themselves to the Pacific, beyond what

the natural attractions of the country would w rrant? We have the Territory of Minnesota and other Territories nearer the Atlantic States, waich will keep our population more compact, and for the settlement of which no special legrislative in incoments are held out. We must consider the fact, too, that the emigration to the Pocific Te ritories already surpasses, even with the natural inducements of the country, the migration that has ever taken place to our other critories. I can conceive of no propriety, no wisdom, no policy, which would induce us to s mulate still further that transfer of our population to the Pacific, by inducements which e never been offered heretofore in any other t. refore, propose to disturb the preceding see- who shall go there up to a certain time, on may give that to Oregon, to Minnesota, but thest extent of liberality.

Now, sir, I understand that this bill is based fne one as for the other. Why do you specially mediate cultivation. sel et Oregon as the receiver of this bounty.

I ask, Mr. President is that the fact? I should a develude the other Pacific territories, which like to get the views of some honorable senators. as of equal importance to be settled! It is upon that subject. Since the discovery of the mines of California may afford attraction riches that are to be found in the mountains of alford so attraction—no such special attraction of the value of the country of the Oregon Ter-Now, it is equally important-per- of every other 13 ps more important-that the agricultural por- the limits of the United States, and offers greater we should hold out inducements for the settle- may o her portion of our unsettled domain .-14 it of Dregon. Why is the distinction made ! You have only to look at the immense riches

bill, applicable to all, putting every portion of the country on an equal footing.

Mr. BRIGHT. I have no fear that the motion of the senator from Florida will prevail, and hence I shall not consume the time of the Sen-

ate in going into an argument against it. But it is obvious to my mind that there are good reasons for giving a larger bounty to the settler in Oregon than to those of any other Territory of the United States. In the first place, sir, the extreme distance from the inhabited portion of the United States—the great expeace, the great necessary to reach that remote region over and above what is necessary with respect to the remaining portions of the United States which have been heretofore settled—is a suffi-cient reason. We have been in the habit of giving to actual settlers 160 acres of Luid in Territorie contiguous, as it were, to the States. In this case the lands are at a distance of more than 3,000 miles away. Any man who goes that distance to find a home, is certainly entitled, saying nothing about a family, to 160 acres of land, low propose to give 320 acres to the citizen actual settler and inhabitant of that country .-As I have said, the actual outfit necessary to will cost more than that quantity of Lind may be bought for in several of the States of this Union. Instead of 320 acres being an extraordinary advantage under such circumstances, I a section to the actual settler with a family, and rdf a section to the numerical man; and if I were to vote for any modification of the section, it would be for giving a full section, instead of reducing the quantity. The cases cited by the honorable senator from Florida are not analogons. The Territories of the United States have been peopled heretofore it a very different menner. The advantages and disadvantages in the elses are not to be compared. The quantity of land proposed to be given is, under the circum-

stances, extremely small Mr. BENTON. I regret, Mr. President, that the previous section was not a proposition for a douation of 640 acres to the early settlers. It only reasionally an everglade, [laughter.] and also proposes to give them 320 acres. 640 acres—a many other circumstances to make them desirous mile square—would be a smill donation for a families of the circumstances as the self-ands are. As to the section now under consideration, a man with a family gets only half a section, and a single man only a quarter of a section. I hope willows are included among single men, so as to get at least the smaller quantity.

I think, Mr. President, that these are small amounts, under the circumstances, to bestow: and the United States, in making a donation of a large expenditure on the part of the United them under such circumstances, will be selling them at the highest pice that is knownhigher price than can be estimated by gold and come, will be raising up defenders of the country -who, in the service of the United States, will That is the only objection I can help to defend the whole country—who will I should therefore, be indisposed to give rise o commerce through their products: which commerce will bring money into the circumstances, it would a great deal better to treasury of the United States through the customuses. They will pay a great price in the service they will reader the coastry; they are paying another great price in the privations and I am, therefore, for a great I berality with respect to settlers in a new country; and, of all he settlers in new constries, none are so muc entitled to it as the people of Oregon.

When these people who are now in Oregon

began to go there, we were contesting with a powerful foreign action for the title of that lousy in this matter. That would be very in country. It was their occupancy that forced the discreet in a matter of this sort, as I would expeet no benefit from legislation here to the part matists and statesmen had been shrinking. For If the country in which I am interested But as more than a quarter of a century diplomatists matter of policy, it seems to me that this provision is a very unwise one. I submit to the
vision is a very unwise one. I submit to the
venture whether there is any reason for the
value of the country, and
waether it is wise policy to stimulate the migration to the other side of the Rocky mountians by

an ore dail a quarter of a century dipolarists
by depending on the country of the country, and
control of the country, and
forced a decision of the question. They conquered it; they conquered it from the savages. They conquered it from Great Britain; and the migration has been already co quered it from the supineness and negligence much beyond what the natural inducements of of legislators and diplomatists. They conquered the country would justify thus far. I learn it in every sense of the word, and they are enthat bodies of emigrants—very large bodies of titled to a great deal on the part of the United em-are anxious now to return to this side of States on account of it. What I say in regard that there are not less than 20,000 persons upon the Pacific side of the mount has who would be forma, I shall be ready to consider here se, under glad, upon any terms almost, to return to this the particular circumstances which may distinde of the Rocky mountains. But, be that as guish it. It ke Oregon as it is, presenting as it may be it so or not-there are inducements it do s, the very highes claims to the considerastrong enough to attract, beyond what perhaps tion and countenance of the American Congress. is reasonable; a current of emigration to the I will vote for the largest grant that any gentle min will vote for.

Mr. DICKINSON, Mr. President, I concur fully with the two senators last up in regard to these persons are said to be settlers for Oregon. this matter. The greatest objection I have is, To re is attraction enough, whether imaginary that I do not b lieve the docation is enough. Oregon is now an organized Territory; but when most of these persons went there, it was literally, ih the language of the old psalmody, a place

"Where nothing dwelt but beasts of prey, And men as fierce and wild as they.

They went and reclaimed it-brought it under the laws of civilization and of the United States. They braved all the dangers of the border : and if there are any people entitled to the con ideration and the liberal reward of the Government of the United States, it is the people of that Territory. The cases cited by the scantor from Florida, [Mr. YULKE] are not applicable to the people of Oregon, who have crossed the Rocky monatains, and run the hazards of the border ife, savage depredations, and the thousand deprivations of that distant region. They have well carned a'l that we now propose to give them.

Mr. BELL, Mr. President, I do not wish p t of the country for the settlement of any to detain the Senate by discussing this quesof acr new Territory. I can conceive the pro-priety of allowing to those who emigrated in in a carreer which has heretofore been wild early portion of the settlement of Oregon, to some extent. I have generally voted for deala cast section, or a fall section of land; for I ing liberally with the actual settlers of our new dare say they went there with the expectation of Territories, by giving them donations of the receiving it. It would be fair to give it to them, public lands; but I understand that this bill not was expected, from the inducements which were only proposes the donation of a section of land held out, from the fact of the bills pending before Congress for many years having that provid those who are there already-but that it pros in them to receive their bounty. I do not, poses also a donation of half a section to all fourth section, which provides for all sir, I cannot perceive the wisdom of that. The soca as have gone there before this tim , and real pioneers -the settlers who have undergone · · · for those who may go there up to the first so many difficulties, and trials, and deprivations December next. But the fifth section pro- -are entitled to some consideration at our less to go beyond that, and to give half sections hands. I should even have no objections to Il those who may go t ere within the period making a liberal donation to all that are there live years after the 1st of December, 1850 .- now; but I think that is going to the very fur-

Now, I ask gentlemen to indicate upon the idea suggested by the honorable senta A reason why the settlement of Oregon should for from North Car line, [Mr. Badger,] that it stimulated beyond that of any other portion is very difficult for settlers to go there, and that of the country, or why the tide of emigration it is extremely desirable to get them to go there ould be turned to that territory alone, and to despite of the want of inducements, in order to other. If you say it is desirable that the strengthen the population of that repulsive recific coast should be populated, then give the gion—in order to increase the general resources one inducements to California. Why confine of this country in some way by bringing that to Oregon? The same necessity exists for immense district of country, now wild, into im

but the agricultural portion of California California, if I have formed any proper estimate great an aftraction as Oregon, as Oregon -it is one of the most advantageous locations, said to be a better agricultural country than, for all the purposes of agriculture-and, indeed, bruch of industry-now within California should be suffied, than that inducements to immigrants and settlers than Way rive it to the one, and not the other! Why that lie undeveloped in the forests of the Colum-

lands in all new countries, let it be by a general ever presented. But when you take into the ereating for every species of product such as Oregon is adapted to furnish, it seems to me that no enterprising area, who is desirous of bettering his condition, could make a more promising selection of a home. There are already some whom not one-hundredth part are subsisted by cultivation of the soil. They are dependent cultivation of the soil. They are dependent upon neighboring countries for their support. a very few years, there will be half a million than any other country. Sir, there is no portion of the agricultural districts of the United States at is so favorably situated at this time to offer the very highest inducements-there is no country, with the exception of California, which offers tuity will not be conferred upon strangers. my equal inducements. Are not these sufficient advantages without our giving away this valu-

I know, sir, that gentlemen will take such ourse as they choose, and probably such a one a this proposition contemplates. I know the ture of the rising popular sentiment; and entlemen are disposed to run a popular caree this subject, they will vote for giving away or public domain without stint, and whoeve stempts to interpose any restraint will fine mself overwhelmed by such an opposition a he cannot withstand. But is it not enough to give liberal donations to those who have gone there without these inducements, with such glowing expectations as now present them selves; but must we, i.i addition to the judge ments which now present themselves, Lyish those most projubble agricultural lands belonging to the public domain of the United States on willing to give a section of land to those ho went there without these inducements, and affered all the trials and hardships to which reference has been made. But, sir, Oregon is now built up into a prosperous territory. population already there is strong enough to ind, even without the protection of the United States, against the weak Indian tribes upon their orders. I am, I repeat, ready to deal liberally. by those who went there without those induce nents which now exist, and had to encounter higher price than can be estimated by gold and silver paid i its the treasury. They get in return for it settlers who improve the country, who will defend the country, and who in all time to are there have earned their bounty. Give them section apiece if you please; but do not let us change our general policy, and give away the public lands wantonly and unnecessarily. I see necessity and no reason for such a change our policy. I see no reason why we shoulhold out the e extraor livery indusements to the settlement of thet country, which has so many inducements of its own-more I verily believe than any other territory of the United States. Sir, I have offered these remarks as some e planation for the vote which I shall give upon this subject. I will not dwell longer upon the subject, and upon the whole policy of getting

il of all our wild lands as speedily as possible, shall be opposed to it. I shall vote against it rom no want of liberality, but from my judg-nent of what is judicious and proper. Mr. HAMLIN. I do not rise to discuss the

stion, but to express the hope that the Senor from Ilinois will press this bill to a vote at once, and that the friends of Or gon will vote, not talk. I think Senators must be fully sible that if we do not devote a portion of our time to executive businesss, it must result in an extra session of this body. For one, i Mr. HOUSTON. It was not my intention to

make any remarks upon the bill, but simply to have voted for its passage, until the remarks made by the senator from Florida, [Mr. YULEE,] and his motion to strike out the fifth section. are very different from those presented by him, quanties to individuals. Let the quantity be a essee. A bounty of 610 acres was granted to was that the country was infested with hostile Indians, and it required some inducement to lead population into a country in which there was so to be from the Emerald Isle, to show

families of the State of Temessee-have grown out of that wise and provident policy.

The settlement of Cumberland might have been postponed some half a century, if it had not been for this wise and humane policy of North Carolina. The consequence was that Cumberland soon obtained a population suffielent to defend themselves against the powerful tribes of border ludious who surrounded them Now, sir, what has been the situation of Ore It is so remote from the settlements of the States, that it is almost removed beyond even the com on sympathies of our kind. I recollect that when I first came into this chamber. Oregon was then a bone of contention, some contending that aid should be rendered to Ore on, while others opposed it; and for some reaon Oregon has been neglected for years, and up verely pressed by the Ladjans, and a ragiment

best citizens-some of the most substanti I

to the present day. When she was most scwas raised for her defence, it was diverted from the object of its creation and marched to Mexat so that Oregon has been for years without the benefits of that provision of law. Well, sir, the people who have gone to Oregon deserve great credit. They have gone there in accord mee with the spirit of enterprize which belongs to the American ch racter, and in accordance with that spirit of during and adventure which vill doubtless remain while there is a distint untry to occupy or difficulties to encounter. hose who have gone there, and of whom it is policy of the country to adopt this system. oid that they are anxious to return, will soon the Government will

tending its power. to the Pacific country even, and not to the Atlantic country even, and not to the Senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our, and therefore I call the senate upon thus our even and nays.

It is proper to this special legislar to this special legislar to this special legislar to this special legislar to the senate upon thus our even and nays.

It is proper to this special legislar to this special legislar to this special legislar to th

powers of the F deral Government; and they deserve a recompense for the enterprise which they have evinced; and for the ben fits that will be reflected upon the Government by the extension of its powers upon the Pacific coast. The benefits that will recur to the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension of its powers upon the Federal Government by the extension being then taken upon Mr. Walk-as follows:

Yeas-Messes. Dodge of Wisconsin, Seward and Walker—3. neers, to extend the influence and effare oeneits that will recur to the Federal Government will more than compensate it for the disposal of every acre that may be granted to emission to grants. The resources of Oregon are said to be immense. The lands are fertile; then why not give them to those who will caltivate them? I do not care if the same provision is extended.

lious of inhabitants in a country, where there chanies and agriculturists go to these countries, are gold placers of hundreds of miles in extent, and I think it is well to hold out an inducement sustained by agricultural jursuits, and must draw their subsistence from the surrounding countries. California is now, I am informed, chiefly supplied with flour from Chili. If I am not wholly misinformed as to the character of the soil and climate in Oregon, it is destined to be abundantly productive in just those products which will be so abundantly demanded for consumption in California. In position it is immediately adjoining California, and more convenient to do so. The lumber trade of Oregon of the finest wheat-growing countries in the world. Then, why not induce our citizens to go there, and compete with Chili and other South American States in supplying the markets of California? We have enough of surplus of California, I position, who would do well to go there, which will be so abundantly demanded for consumption in California. In position it is immediately adjoining California, and more convenients to go? They will not lose their citizenship by going. They where not one-hundredth port will ever be for them to do so. The lumber trade of Oregon ently situated for farnishing those supplies will continue to be American ci izens, and America should engage in any enterprise that takes them to that country. It should give them

every facility for emigrating; for they will still will be aiding to develop the vast resources of the country, and creating new springs of wealth, of enterprise, and of commercial power. These, sir, are the objects you would be siding to ac-

I am ele rly in favor of giving the bounty, and would be willing to give even more than is now proposed; and to convince hon, gentlemen that I am not more partial to Oregon than to other made ne exception in favor of pre-existing conportions of the Union in the distribution of the tracts, which he deemed to be proper to be expublic lands, I would give a section to any industrious family that would emigrate to these ands. I would aid in building as the population of the South as well as the North. I have no prejudice against either the Morth or the South; and if geathemen will bring in a lil making provision for giving 320 or 640 acres to every industrious family that will emigrate to the vacant lands of Florid; I will cheerfully vote for such a measure. I am sure this would not be making fish of one am flesh of another. I will willingly extend the policy wherever and whenever there is an opportunity of reducing-the lands within the jurisdiction of the United States to a state of cultivation; and I will always support that policy as long as I occupy a seat upon this floor, or while we have an almost boundless extent of usualivated, unreclaimed, and uninhabited docablic lands. I would give a section to any indusu cultivated, unreclaimed, and uninhabited do-

Mr. YULEE demanded the year and nave hich were ordered.

Mr. WALKER. Is not that section before

stricken out susceptible of amendment?
The PRESIDENT. Certainly. Mr. WALKER. Then, I wish to offer mend nent to come at the close of it, as a second Wilmot Proviso. I will read it.

[The Reporter could not obtain a copy of this nendment. Its object, however, was homestead exemption.]

I shall ask, before the vote is taken upon that the yeas and nays; and I propose to offer a very few observations upon it. The discussion which we have just heard, strikes me as somewhat pe uli r. It is an argument and a discussion while certainly applies more to the present momen than legislation ought to be applied, or argu-ments in favor of legislation. Now, sir, if we take the barthen of this argument as indicative of the wis es of senators, it is not that their wishes are directed to the future welfare of the country, but to the present moment me ely, and to the present interest—the selfish interests—of hose who exist at the present day. Their minds Dregon or the United States. The argument is that this grant of danation is too smill I see to those gentlemen that the time will come when people will go to Oregon without bounties; and when they go there-mark my words-they will not thank those senators for having given this land in whole sections to those who happene to go there before them. Then they will seek land for themsel es, and they will look bock upon this legislation with disapprobation. Sir, if you are going to legislate in favor of the permanent interest of the whole country, do not adopt the policy of granting these lands in large husband our time is to stick to one bill, and pass this legislation with disapprobation. Sir, if you object to it because the i ducements off red small as the ultimate interests of that country are insufficient for the hazards and difficulties of will demand; so that when the population be emoving to the territory of Oregon. It has comes heavy and dense, the land of the country been very particularly stated-and I grant you may be liberally distributed as its then present that it is true—that it has not been in accord ance with the usage of the Government to grant to be vicing with each other who shall make the lands in advance to emigrants who may hereafter biggest proposition with regard to this matter. go to a territory; but, sir, it is a policy quite Why, sir, they are along their mighty energies similar to that pursued by the State of North in a direction that seems to me to be unavailing Carolina in the settlement of the State of Ten- to them in one point of view, if their object is to make the biggest bids over one another .-every inhabitant of North Carolina who should | They are bidding for a section of country where settle in the county then called Cumberland, there are no vote. One of the senators has which is now Western Tennessee. The reason spoken of this-that they have got no votes. I heard of a politician once in the State of II linois, who took on' a friend, who happene auch of danger and of difficulty. Some of the steam dredging machine that had been inventest citizens—some of the most substantial ed by a friend, to plough through the low prairies of Illinois, and dig their canal. He saw it operating; how it scooped up the earth and deposited it in the right place .-He looked at it, and then said, "It does operate admirably; it scoops up the earth beau ifulls; and does the work of forty Irishmen; but the thing can't vote." "Faith," says the operator, is he tapped him on the shoulder, "that is true, and I would not give one Irishman for twenty

tredging machines. Let us look to what they will be hereafter. when the necessities of the community, the neessities of the settler, demand what they now propose to give them -a for ting upon the earth, und a home where to reside. Now, sir, this amenda e it which is proposed, is in view of the quantity being one hundred and sixty acres, but is applicable if the quantity is left three hundred and t-venty. It proposes to exempt the lands from forced sale in the hands of the one whom it is granted, as permanently as this laring the existence of the territorial government there. It furthermore precludes the transfer of it to him who already owns an equal quantity of land. It keeps it in his hands, or at least forbids him to convey it to any other person who owns any other hand, or at least a sufficient amount, with that conveyed, to amount to more than the one hundred and sixty, or three hundred and twenty acres. I believe it might be the

I have argued this question upon its genera nd reason to be satisfied with their condition, principles before, and I do not propose to repeat this inducement is given to emigrant- to go to anything I then said; but I am more and more hat c natry. Their condition will be improved; convinced every d y of my life th 4 such ough ad litional confidence will be inspired, and emu-lation among them will soon produce a flourish-the United States. I am satisfied the more of g and powerful colony. Our citizens will go this fact from the manner in which the general re with the expectation of bettering their argument which I then had the honor of adby its dressing to the Senate has struck the countryestronge enable them to consummate their en- not the politicians of the country-not the officerprize, it will result beneficially to the Feder I holding or the office-seeking portion of the com-Government by increasing its commerce and exland. These things, I repeat, have satisfied me

of inhabitants there; and low long will it be do not care if the same provision is extended to meacement of the next session of Congress.—before there will be two millions or three mil- California, I should be very willing to have me- Now, sir, I have stated this; and if the Senate intends to proceed with this bill, and occupy the

whole day with it, well and good. I content, and cheerfully take my full share in

Mr. DOUGLAS demanded the yeas and navs. Mr. BERRIEN. I hope this will not be con idered a test question.

Mr. DOUGLAS. I shall give up all hope

the bill, if it is defeated now.

The year and nays not being ordered, the nestion was taken upon the motion to by upon the table; and resulted, upon division, ayes, 19 noes 22

So the motion was rejected. The question recurring upon the amendment submitted by Mr. WALKER, the yeas and nays

Mr. BENTON suggested that the amendmen

cepted.
Mr. CASS. I want to say a few words

tions which should be left to the internal legisla-ture—which people should determine for them-seves. I believe we have no more right to inter-fere with that than with any other question of in-ternal legislation. It is an application to us to put such a provision upon our own grants to the States. We could not do it. We could not control the lands. The question must be left to the people of the States and territories to determine for them-selves. For myself, as a member of a State, I am in favor of the homestead exemption. I am in favor of that kind of proviso. I believe that the widows, families, wives, and children, should be protected by the State-should be protected as much as possible against the improvidence or mis conduct of the husband and father. I believe the are among the most valuable creditors of the State. In this point of view, my own State, in the recent constitution proposed—and I trust will be adopted—have established that provision as a wise, judicious, and humane one. I do not community when as to details—as to this or mat-amount—but the general principle I am in favor of; and as I have said upon another occasion, I am atterly against this Congress patting its finger into the great business of the internal legislation of any people, State or territory; and I find no

authority for it in the constitutio Mr. HAMLIN. I feel under the obligation to renew the motion which has just been made by the senator from North Carolina. I move to postmorrow, for the purpose of going into executive session. There is a proverb that says, "Save me from my friends:" and I think this bill might well exclaim in that language, "Save me from my friends."

Mr. DOUGLAS. I hope that motion prevail. This bill has been up several times, and would have been disposed of in a moment or two, had not a motion been made, just as we were con-ing to a vote, to postpone it. If it is now posit or defeat it before we leave it. I ho tion will not prevail.

Mr. BUTLER. If there is to be no further de-

ate, I am ready for a vote; but I believe we have minations before us, the discussion of which ill take up nearly all the time of this Congress, The question being taken upon the metion to postpone, it was rejected upon a division—ayes

has been advocating, in which he takes the very reverse ground to that which he has just taken.— It is the bill which the senator from Illinois has in charge. There the exemption is express, that the land should not be charged with the payment of ny debt incurred by such officer or soldier prior

issuing the patent. In answer to the senator from Michigan, I have nly to say that if he is an advocate of donations to actual settlers, with proper checks, as he says, perhaps the time will come when he will see the lavorable moment to establish those checks. I deem this as a proper time, and therefore have offered this, and shall vote for it.

Mr. BADGER. Lest my vote upon amendment should be misunderstood, as the yeas and nays have been called, I wish to say a word or two. I do not entirely concur with the views expressed by the senator from Michigan with rerd to the right or power to interfere with the sternal regulations of this territory. It is well nown that I entertain the opinion that we have be largest power to interfere with the government of our territories. We have a right to do as we

of our territories. We have a right to do as we please with them.

But I cannot concur in or vote for the amendment proposed by the senator from Wiscongin, for a reason to which I wish to call his attention. In the early time of our English forefathers, lands were protected from alienation. They seem to have been entirely protected, and various contrivances were resorted to by legisla-tion to keep lands in the families in which they whom it is granted, as permanently as this were once found. The free spirit of that country, invernment can control the matter, and that is through the judges—and when it could reach and influence the legislative body, through the legisla-ture—has been engaged in an effort to disentangle the land from these incumbrances, to make it a subject of free disposition, and so far as the aris-tocratic notions of that count y will p rmit, to make it amenable to the payment of just debts. I think that was progress in the right direction; and I am not for taking a step backwards towards those times, when the interests of a man' family in retaining possession of an estate were considered higher and more sacred than the intersts of his creditors and his obligations to pay his just debts. That is my opinion. I have no notion, for one, that we shall embark in an arrangement by which we shall secure this property from creditors, by which we shall hold out legislative sanction to the defrauding of creditors; by of creditors not to be respected.

or giving them out and out. Every trammel nediately and immediately, an injury owner, A man's credit is diminished, and his respectability is diminished, if he is allowed to etain his property and hold his creditors at dehave been offered on other occasions, I do not think it by any means extravagant; nor do I think it will be more than a f ir recompense for the hazards excountered and the dolor and th think it will be more than a f ir recompense for the hazards encountered, and the delay and loss of time incident to emigration. An entire year must be lost in emigrating from any portion of perficularly the great mass of the thoring commust be lost in emigrating from any portion of perficularly the great mass of the thoring commust be lost in emigrating from any portion of perficularly the great mass of the thoring community and any portion of perficularly the great mass of the thoring community. the United States to Oregon. The distance is inunity, who have, do now, and ever must continue thousand miles at least from the imbabited part of any State in this Union to the settlements sesses. I have said that if I could see that policy part of any State in this Union to the settlements in Oregon. Then, sir, I think that a recompense of 320 acres of hand is very insufficient for the heart whether it will be or not. I have difficulties the toil, and the expessive that are incurred on a trip to Oregon. I would much rather vote to give 640 acres than 320. I would much rather vote to give 640 acres than 320. I would much rather vote to give 640 acres than 320. I therefore is alwelved in this amendment, to get the sense of the work of the very munificent in the for the very munificent in the for the very munificent in the for the very maniferent in the for the very maniferent in the for the very and pays.

the known to the Senate that to-porrow to lare ention of the subject be p

and called for the year and mays.

Mr. HAMLIN inquired if it was in order; the
Chair having announced the decision, remarking
that the motion could be renewed in Senate, but

not in committee.

The PRESIDENT. No action having inter-

The PRESIDENT. The Chair states that the question is not pending. When a question is pending, one-fifth of the body, under the Constitution, can order the yeas and mays upon that conding question to be entered upon the journal; but they cannot order the yeas and mays upon a question which is not pending, but has been disposed of by a vote of the Senate and the anneuncement of the presiding officer. That has been the practice of the Senate. The senator from Georgia can reach his object by proposing to strike out gia can reach his object by proposing to strike out

other words in the same connexion.

Mr. DAWSON moved to strike out "Deber 1, 1855," and insert "March 4, 1852." The question being taken upon the amend-the yeas were 26, nays 26, as follows:

the yeas were 26, nays 26, as follows:

Yeas—Messrs. Atchison, Badger, Barnwell, Bell, Berrien, Eutler, Clarke, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dayton, Ewing, Greene, Hunter, King, Mangum, Mason, Morton, Pratt, Sebastian, Smith, Spruance, Turney, Underwood, Walker, and Yulee—26.

Nays—Messrs. Baldwin, Benton, Bright, Cass, Chase, Copper, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Downs, Felch, Foote, Fremont, Hale, Hamlin, Houston, Jones, Norris, Rusk, Seward, Shields, Soule, Sturgeon, Wales, and Winthrop—26.

So the amendment was rejected.

Mr. BADGER moved to amend the section so as to extend the time to 1853; which was agreed to—yeas 29, nays 24—as follows:

as to extend the time to 1853; which was agreed to—yeas 29, nays 24—as follows:
YEAS—Messrs. Atchison, Badger, Baldwin, Barnwell, Bell, Berrien, Butler, Clarke, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dayton, Ewing, Foote, Greene, Hunter, King, Mangum, Mason, Morton, Pran, Sebastian, Smith, Soule, Spruance, Turney, Underwood, Walker, and Yulee—29.
Nays—Messrs Beaton, Bright, Cass Chara

Walker, and Yulee—29.

NAVS—Messrs. Benton, Bright, Cass. Chase,
Cooper, Dickinson, Dodge, of Wisconsin, Dodge,
of Iowa, Douglas, Downs, Felch, Fremont, Hale,
Hamlin, Houston, Jones, Norris, Rusk, Seward,
Shields, Sturgeon, Wales, Whitcomb, and Winthrop-24.

The question then recurring upon the amend ment of Mr. YULEE.
Mr. YULEE said : As this amendment mr. YULEE said: As this amendment will probably be construed by the Secate in the light of a compromise, and mine will therefore not be accepted, I will not require a vote upon it, but will ask leave to withdraw it.

The amendment was accordingly withdrawn.
Mr. MASON. This, according to my recollection, and as I am informed, is a precedent that is to be established of civing a precedent that

to be established of giving away the public lands in the Territories to actual settlers. Now, sir, I doubt the justice and the propriety of giving away the lands at all. But if they are to be given to actual settlers as an actual donation, it does seem to me that this donation should at least be restricted to citizens of the United States. There is a provision in this fifth section which proposes to give the lands equally to aliens and to citizens. It is that which declares that "to all white male citizens of the United States, or persons emigramade a declaration of their intention to become such," &c.

The PRESIDENT. The part relating to those

emigrating from the United States is stricken out Mr. MASON. So I suppose; but it says, "or persons who shall have made a declaration of their intention to become such." Now, allens iving in this country, who make that previous declaration of their intention to become citizens, or as much aliens as before. I move therefore to strike out those words, "or persons who shall have made a declaration of their intention to become such ; upon that motion I ask the yeas and

nays.

Mr. DODGE, of Iowa. I hope this amendment will not prevail. The language of the bill is now precisely the language used in all pre-empting now precisely the language used in all pre-empting now precisely the language. I trust we are not going to show any hostility at this late day to foreign emigrants coming to this country, who are so desirous to become citizens in the new Territories. I hope the Senate will vote down this amendment.

Mr. BRIGHT. The senator from lows is cor-rect. The language of this bill is a copy of a bill of a similar character that passed both Houses of Congress. If this amendment prevails, the title will have to be amended, so as to make it read, "A bill granting land to actual settlers, and prohibiting persons who are born without the limits of the United States from participating in any of the benefits derivable under this bill." It is proper that the Schate should udderstand this amendment lefter it. ment before they vote upon it. I could not vot for a system that gave lands indiscriminately to all citizens of the Old World; but when they come in good faith, proposing to make this their home, and proposing to follow agricultural pursuits, I am in favor of extending to them the benefits of

Mr. MANGUM, I think the analogy in the cases referred to by the senators from Iowa and Indiana to be wholly false. In the cases of the right of pre-emption which the Government gives, there is no gratuity. It only affords certain fa-cilities for settling upon the land, This is entirely a different thing; and if it were not too late in the

Mr. DAWSON. No principle of this kind has been established by any previous law, or any previous action of Congress. Now, sir, what are the inducements that we are holding out to the foreigners in order to get clear of our public lands, taking them away from the men, women, and children of this country? You extend the time within which any foreigner declaring his intention to become a citizen may be entitled to the public lands three years. Within that three years the information will go upon the continent of Europe, and there will immediately be thrown into this country a multitude of aliens, who, as soon as they land upon our shores, will make a declaration of a was first made there was some specification of a

And for what do we give it away to foreigners? Mhat service have they rendered this country? Have they been engaged in the defence of the pication. So that it seems to me one of two things country? Have they paid a dollar of taxation? Where do the millions come from that you expend for the purchase of these public lands? They

treasury of the country, but you give it sway those who shall come from foreign country Why, Mr. President, this bill will add to the those who shall come from foreign countries why house and walker—3.

Nays—Messrs. Dodge of Wisconsin, Seward and Walker—3.

Nays—Messrs. Atchison, Badger, Baldwin, Barnwell, Bell, Benton, Berrien, Bright, Butler, Cass, Clarke, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dayton, Dickinson, Dodge, of Iowa, Douglas, Downs, Ewing, Felch, Fremgress—and Mason, Morton, Norris, Pratt, Rusk, Seastian, Shields Smith, Soule, Spruance, Sturgeon, Turney, Underwood, Wales, Winthrop, and Yulec—44.

Mr. UNDERWOOD. I rise to propose a comportision of the word of the way upon the public lands which have grown up by his industry—cannot leave his home. He must stay the final training I move and that is, that we retain the section, but change the year 1855 into 1852—to give them two years to avail themselves of the benefit of this donation, and to put it in the power of the next. Congress to change it. I dislike to have it remain five years. I am a friend of the bill, but I prefer to change 1855 to 1852, and let the next congress have the power to change it. I hope that will be done, and that we shall all vote for the bill. I make the motion to strike out "five" and insert "two."

The question being taken, it was rejected upon division—ayes 22, nays 22.

Mr. DAWSON renewed the motion to amend, and called for the yeas and mays.

Mr. HAMLIN inquired if it was in order; the Chair having announced the decision, remarking the propose to come here within the space of three composition of the control of them, and get none of the Advantages when have grown up by bis industry—cannot leave his home. He must stay the conveniences of life around him, and all the conveniences of life around him, and all the conveniences of life around him, and the distribution by birth—being stationed there with all the conveniences of life around him, and the distribution by birth—being stationed there with all the conveniences of life around him, and the distribution by birth—being stationed there with all the conveniences of life around him, and

of them, we advertise to the world that any for-eigner, from any part of this globe, who may choose to come here within the space of three years, if he will only signify his intention to be-come a citizen—an intention which he may never consummate—shall be entitled to a home and 360 acres of the public land, whether that land con-

The PRESIDENT. No action having intervened, the motion is not strictly in order.

Mr. WINTHROP. Mr. President, this is a constitutional question, rather than a question of order, to which my attention has been called in another branch. I think that, as the constitution requires that upon any question, if a certain number demand the yeas and mays, they shall be entered upon the record, a deceision of the question does not interfere with that right. It was thought there is nothing to interfere, even after the decision is announced, when any gentleman demands, in the words of the Constitution, that the yeas and mays should be entered upon the record; and it was always done.

Mr. DICKINSON. That cannot be the rule, because, according to that, they might be entered even if another question intervened.

The PRESIDENT. The Chair states that the question is not pending. When a question is pending question to be entered upon the record; in the words of the sody, under the Constitution, can order the yeas and mays upon that rending questions to be entered upon the journal; but they cannot order the yeas and mays upon that rending question to be entered upon the journal; but they cannot order the yeas and mays upon that rending questions to be entered upon the journal; but they cannot order the yeas and mays upon that rending questions to be entered upon the journal; but they cannot order the yeas and mays upon that rending questions to be entered upon the journal; but they cannot order the yeas and mays upon that rending questions to be entered upon the journal; but they cannot order the yeas and mays upon a question which is not pending, but has been disposable, and those interested in navigation, in order that they may load down their shines. and sail vessels, and those interested in navigation in order that they may load down their ship with paupers from England and other countrie of Europe, will publish the news in every country of Europe; and the European governments, in order to get rid of their paupers, will make appropriate the results of their paupers.

propriations to move them to this country, where they know that they will be provided for, in this asylum of the whole world with 360 acres of land, merely by paying for a declaration of intenfion to become citizens.

Mr. President, we ought to consider the things, and to act upon them; and no gentleman ought to consider me illiberal in relation to foreigners. I am not so. I am myself an immediate descendant of a foreigner. But I have no idea of putting all the burden upon my own countrymen for the benefit of the population which is to be in-duced to immigrate to this country.

Mr. DOUGLAS. I will barely remark tha the senator is under a misapprehension in regard to this bill. The land cannot be granted to for eigners until naturalization is com Mr. BENTON. That is just what I was goi

to say. I make it a point never to interrupt gentleman while he is speaking; otherwise, would have corrected the gentleman before.

Mr. DAWSON. How long will it require for

foreigner to take out his naturalization papers
Mr. BENTON. About five years.
Mr. DOUGLAS. From two to five years.
Mr. BENTON. It requires five years to con Mr. DAWSON. From the time he signifies

his intention, I suppose he may go on and occupy the land; and he can go on and hold it unt Mr. MASON. As that section of the bil

stands with the proposed amendment, all persons who are citizens of the United States may partake of the bounty land, but they must be citizens of the United States to enable them to do it. The senator from Indiana, [Mr. Bright,] therefore, is not warranted in saying that the provision of the law excludes in any manner those who are foreign born. It will admit all who are citizens of the United State. But if the anendment is not Mr. WALKER. To obviate the objection of the senator from Maine, I wish to say that there is a bill now before the Senate, which I believe he has been advocating, in which he is a declaratian of their intention to be a declaration of the declaration of ter. The policy of the haturalization laws will not admit those to become citizens who, after a residence of five years, have not acquired such a general reputation for good character as will cna-ble their neighbors to give them a recommenda-tion. And yet, in the face of that, the bill proposes to let the foreigner, the next day after he de clares his intention—by which he is not bound—have the same benefit that is extended to the American citizen. Sir, I have no hostility to insturalized citizens. I recognize them all alike after they have complied with the law. They then stand on an equal footing with other citizens; and let them, I say, enjoy the lands, if they are to be

let them, I say, enjoy the lands, if they a e to be given away, equally with the rest; but until they do become citizens, I can see no propriety in giv-Mr. FELCH. I merely wish to call the atten tion of the Senate to a provision contained in the fourth section, in the thirty fourth line, which refers to this matter. It is there provided son shall be entitled to a patent of land conated by this act, until he shall have produced to the Surveyor General of Oregon the required evidence that his naturalization is complete." This provision, of course, covers the very case provided

for in the section intended to be stricken out. The turalization is complete. Mr. BERRIEN. I rise to make an inquiry the gentlemen who are familiar with the details of this bill. I understand that, after the individual's declaring his intention to become a citizen, he is entitled to 360 acres of land—that he may enter upon the land, and take possession of and enjoy it, but he cannot get a patent for it until he be-comes a citizen. Now, my inquiry is: is there any time limited in the bill within which he is reany time limited in the bill within which he is required to execute his intention which he has declared of becoming a citizen? If not, he is a possessor, whether he gets a patent or not. I ask for information; and if that question cannot be answered so as to remove the objection which necessarily results from a statement of facts, then the amendment proposed by the senator from Virthe amendment proposed by the senator from Virginia ought, I presume, to receive the concurrence

a different thing; and if it were not too late in the day to raise the question of power, I should like to know where any senator will find the power to make donations ad libitum to all the refuse population of the Old World. But, sir, it is too late, and I will not be guilty of the indecency of raising the question of power. The fact is, we find power to do what we desire to do, and I have seeh no instance to the contrary in my experience the patent was issued, because the issuing of the which has not been very short. I shall certainly patent is provided for as a restriction upon the full vote for the amendment of the senator from Virginia, holding it to be in accordance with sound premises; and although he would have a right to Mr. DAWSON. No principle of this kind yet he could not exercise the usual benefits of

this country a maititude of aliens, who, as soon as they land upon our shores, will make a declaration of their intention, so that the whole of your land will be given away. Europe will turn loose the whole of her population, and send them upon your shores.

And look at the inducement—360 acres of land!

And for what do we give it away to foreigners?